



L A W S,

Made and pass'd by the
General Assembly of His Ma-
jesty's Colony of *Rhode-Island* and
Providence Plantations, in *New-*
England, held at *Newport*, on the
first *Wednesday* of *May*, 1730.

An Act for augmenting the Salary of the Ge-
neral Treasurer of this Colony.

UPON Consideration of the great Care and Trouble that is
incumbent upon the General Treasurer in said Office,

IT is Voted and Enacted, That the Salary of the said Ge-
neral Treasurer for the Time being, be, and is hereby
advanced to the Sum of *One Hundred and Fifty Pounds per*
Annum. M m m

Treasurer's
Salary.

An

An Act for settling and ascertaining the Jurisdiction of the Justices of the Peace throughout this Colony.

Justices of the
Inferior Court
to be Justices
of the Peace
in their re-
spective Coun-

BE it Enacted by the General Assembly of this Colony, and by the Authority thereof It is Enacted, That the Justices of the Inferior Court of Common Pleas, be created and made Justices of the Peace of the respective Counties to which they belong, in Criminal Cases, and that they be commissioned accordingly; and that the Justices of the Peace, and Wardens for each Town in the Colony, be chosen and commissioned for their respective Towns, in all Matters of a Civil Nature, as heretofore; but that their Power in all Criminal Affairs, and for the Preservation of the Peace, &c. extend throughout the County: Any Law, Custom or Usage to the contrary hereof, in any wise notwithstanding.

An Act for repealing an Act made and pass'd the Fourteenth Day of June, Anno Domini, 1726, being, *An Act for regulating the Militia, and the Election of the Officers of each respective Company in this Colony.*

WHEREAS the abovementioned Act by Experience is found to be of ill Consequence.

THEREFORE be it Enacted by this Assembly, That the said Act, and every Clause thereof, be, and it is hereby repealed, and made null and void, and of none Effect for the future.

An

An Act asserting the Claim of this Colony to the Jurisdiction of the Gore of Land to the Eastward and Northward of *Pautucket River*.

WHEREAS sundry of the Inhabitants of a Tract of Land that lies between *Pautucket River*, and the North Line from *Pautucket Falls*, to the South Line of the *Massachusetts Bay*, having made Application to this Government at sundry Times, and in divers Manners, that they might be taken into the Jurisdiction thereof, being Part and Parcel of the same; but more especially at the present Sessions of Assembly, have earnestly insisted upon that Matter, as their Right and Priviledge, according to our Royal Charter, granted by King *Charles the Second*, Anno Domini, 1663.

Whereupon this Assembly are moved to take the same into Consideration, and thereupon do consider the Premisses in the following Manner.

First, That upon Application formerly made by the Petitioners, this Government asserted their Right, by Virtue of said Charter, to the Jurisdiction of that Part of the Government.

Secondly, That upon a further Prayer made at the Session of Assembly held the last *Wednesday* of *October*, Anno Domini, 1729, the said Assembly addressed the Government of the *Massachusetts* to appoint a Committee to meet ours, appointed for the ascertaining the Boundaries between the two Governments. And altho' the Honourable Council of the Province pass'd a Vote for coming into those Measures yet the Honourable House of Representatives non-concurred therewith.

And the Petitioners still repeating their Prayers and Petitions to the Assembly of this Colony, at their Sessions in *February* last, they made a farther Address to the Government of the *Massachusetts*, desiring them to join with us in so necessary a Work, by appointing a Committee as aforesaid; which Matter was to be entred upon by our Committee on the last *Tuesday* of *April* last, who had Power to join with a Committee of the Government of the *Massachusetts*, in Case they appeared for that Purpose, otherwise to proceed to run the Line in that Part of our Government, according to our Charter, which they, viz. our said Committee, accordingly did, and have made Report thereof to this Assembly; wherein and whereby we find, that the Petitioners, with

with divers other Persons thereabouts, are within the Jurisdiction of this Government, according to the plain and exprefs Boundaries and Circumscription in our said Charter.

Colony's
Claim asserted.

U P O N *which Considerations*, This Assembly do declare all that Part of the Lands possessed by the Petitioners, and others within the Line lately run by our Commissioners aforesaid, to be, and they are hereby declared to be within the Jurisdiction of this Colony, and for the future shall be within the Jurisdiction of the Town of *Providence*, for that the same is Part and Parcel of the Lands contained in our said Charter.

An Act for the Relief of poor Sailors and their Families.

W H E R E A S it manifestly appears, by long Experience bad, that great Expence and Charge hath arisen to the Town of Newport, by poor Sailors being taken sick, wounded or lame, and dying; and at the same Time leaving, or having little or nothing to support themselves or Families under those deplorable Circumstances, and often suffer for want of Relief, before the Authority of the Town have Notice thereof: And excessive Charges are often brought against the said Town, by Persons who lodge the said Sailors, in Expectation to be paid accordingly.

For Remedy whereof,

Six Pence per
Month to be
deducted out
of Sailors,
Wages.

I T is Enacted by the Governour and Council, and General Assembly for this Colony, That from and after the Publication of this Act, all Sailors, Mariners and others, that sail out of this Government, in any Ship or other Vessel, the Master only excepted, shall allow, and have deducted out of their Wages, at the Rate of *Six Pence per Month* for each Person, as shall appear to be due by the Master's Portlage Bill, a true Copy whereof the said Master shall deliver in upon Oath to the Naval Officer of this Colony, for the Time being, to whom the said Master of every Ship or other Vessel, that discharges his Men within the same, shall pay the aforesaid *Six Pence per Month*, at the Time of his entring said Vessel, after his Arrival from his Voyage: Which

Which Money so paid, shall be deducted out of the Sailors Wages by the said Master, and the same applyed to the Use and Benefit of such poor Mariners and their Families as aforesaid, at the Direction of the Town Council for the Time being, to and for the Use as aforesaid.

A N D be it further Enacted by the Authority aforesaid, That the said Naval Officer shall have administred unto him an Oath for the faithful Performance of his Duty, in respect to this Act, both as to receiving the Monies, and delivering or paying the same by Order of the said Town Council, according to the Tenor of this Act.

Naval Officer
to be under
Oath.

A N D be it further Enacted by the Authority aforesaid, That the said Naval Officer for the Time being, shall keep a fair Book of Record of what he shall receive and pay by Virtue of this Act, as also the Master's and Vessel's Name, and the Place where she belongs; for the Doing and performing whereof, the said Naval Officer shall be allowed out of the said Monies by him receiv'd as aforesaid, at the Rate of Ten *per Cent.* for all such Monies that shall pass thro' his Hands by Means of this Act.

And to keep
a Book of
Record.

PROVIDED, And be it Enacted by the Authority aforesaid, That when and as often as any Monies deducted and paid as aforesaid, out of the Wages of any Mariner that belongs to any other Town in this Colony, the same shall be disposed of by the Town Council of the Town where such Mariner belongs, for the Use and Ends aforesaid: Any thing in this present Act contained to the contrary, in any wise notwithstanding.

Proviso:

A N D it is further Enacted by the Authority aforesaid, That any Mariner, Seafaring Man, or other, as before described, being taken sick, lame, or the like, within this Colony, in any Family, or herein brought, and under those Circumstances, the Master or Mistress thereof shall give Notice of the same to some Justice of the Peace or Town Council Man, within Six Days after they are so taken or brought, upon the Penalty of Forty Shillings, to be recovered by a Warrant of Distress from the said Town Council, and the same to be applied to and for the Use as aforesaid: Any Law, Custow or Usage to the contrary whatsoever notwithstanding.

Upon any Sail-
or's being ta-
ken sick, No-
tice thereof co
be given.



L A W S,

Made and pass'd by the
General Assembly of His Ma-
jesty's Colony of *Rhode-Island* and
Providence Plantations, in *New-*
England, held at *Newport*, by Ad-
journment, on the third *Monday*
of *June*, 1730.

An A^t enabling the Secretary of the Colony for
the Time being, to surrogate and appoint a
Deputy under him.

BE it Enacted by the General Assembly, and by the Authority
thereof it is Enacted, That it shall and may be lawful
for the Secretary of the Colony for the Time being, to sur-
rogate and appoint a Deputy under him; who is hereby
authorized

authorized and impowered to act and do, in the Absence of the Secretary, all things by Law required of him, as fully and amply in all things, and to all Intents and Purposes, as the Secretary himself might or could do, were he personally present, he appointing such a one as the Governour shall approve of.

Deputy Secretary's Power.

An Act for the Relief of Tender Consciences, and for preventing their being burthened with Military Duty.

WHEREAS there are sundry Inhabitants of this Colony, especially among the Society of People called Quakers, who hold the Art of War and Fighting to be opposite and contrary to the Christian Religion, and that they ought thereby to be meerly passive, and even not to resist Evil; whereby such Persons have suffered great Damages, and excessive Charges have accrued to them, by having their Goods distrained and publickly sold, contrary to that Freedom and Liberty of Conscience, by the Charter granted to all Persons of a peaceable and quiet Behaviour.

For the preventing of which for the future:

BE it Enacted by the General Assembly of the Colony aforesaid, and by the Authority thereof it is Enacted, That no Constraint shall be laid upon the Conscience of any Person whatsoever, by Force of any Act or Law for the keeping up or regulating the Militia within this Colony: Nor shall any Person be compelled to bear Arms, or learn or exercise himself in the Art of War, whose Principles are, that the same is inconsistent with the Doctrine of the Gospel; but that any Person of any Society or Perswasion in this Colony, of whom the aforesaid Military Service is required by any Officer whatsoever, (provided the Life and Conversation of such Person be answerable to his Profession) shall and may have the Liberty and Priviledge to go before any of the Assistants, Justices of the Peace, or Wardens of the Town where he dwelleth, and upon his solemn Engagement, according to the Form prescribed by Law. declare, that his Opinion and Religious Sentiments are, that in Matters relating to War, he ought to be altogether passive, and that the

Persons refusing Military Service, to declare, upon their Engagement, That the Art of War is contrary to their religious Sentiments.

Art

Art of War, and Practice thereof, the Use of Arms, the Exercise therewith, are contrary to, and inconsistent with his Belief as a Christian; and that he declineth the Customary Use and Practice thereof, and conforming to the Law relating to Military Discipline, for no other End and Purpose but for Conscience sake, and out of Principle, and in Conformity to the Duty and Obligation he thereby lies under to refrain therefrom and decline said Practice.

Proviso.

A N D all and every such Assistants, Justices of the Peace, or Wardens, are hereby obliged to admit any such Person to make such his Declaration and Affirmation, (provided his Life and Conversation be not contradictory to his Pretensions) and shall record the same, and give forth a Certificate thereof to the Person making the same, whereby such Person shall be exempted from all Service, Fines and Forfeitures, accruing by any Law, for the Neglect of Training, bearing Arms, practicing the Art of War, or of attending on such Persons as do practice the same.

The Children of such Persons exempted from Training.

A N D be it further Enacted by the Authority aforesaid, That such Persons exempted from the aforesaid Military Service in Manner as aforesaid, or that can and will take the aforesaid written Affirmation, shall not be compelled or obliged to suffer their Children to attend upon the Militia in this Colony, or do any Service therein, or pay any Fine for the Neglect thereof, until such Time as they arrive to Age, so as by Law to be capable of acting for themselves.

A N D be it further Enacted, That this Act, or any Part thereof, shall not be deemed or constrained to exempt any Person from watching and warding in this Colony.

An

An Act for expediting Business in Town Councils.

BE it Enacted by the General Assembly of this Colony, and by the Authority of the same it is Enacted, That the major Part of the Town Council Men, with one or more Justices or Wardens, when met, shall for the future be a *Quorum* in any of the Town Councils in this Colony: And for want of which Number of Justices or Wardens, the major Part of the Members shall be a *Quorum*.

An Act to prevent *Indians* being abused and wronged by designing and ill minded Persons, in making them Servants.

WHEREAS several evil minded Persons in this Colony, of a greedy and covetous Design, often draw *Indians* into their Debt, by selling them Goods at extravagant Rates, and get the said *Indians* to be bound to them for longer Time than is just or reasonable, to the great Hurt and Damage of the *Indians*, and to the Dishonour of the Government.

For the preventing whereof for the future:

BE it Enacted by the General Assembly of this Colony, That no *Indian* shall be bound an Apprentice or Servant to any of His Majesty's Subjects in this Colony, without the Consent, Allowance and Approbation of two Justices of the Peace, or Wardens of this Colony, and for good Consideration therefor, and testified to under the Hands of such Justices or Wardens: Any Law, Custom or Usage to the contrary, in any wise notwithstanding.

Indians to be bound by two Justices or Wardens.

O o o

An

Art of War, and Practice thereof, the Use of Arms, the Exercise therewith, are contrary to, and inconsistent with his Belief as a Christian; and that he declineth the Customary Use and Practice thereof, and conforming to the Law relating to Military Discipline, for no other End and Purpose but for Conscience sake, and out of Principle, and in Conformity to the Duty and Obligation he thereby lies under to refrain therefrom and decline said Practice.

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The Children of such Persons exempted from Training.

A N D be it further Enacted by the Authority aforesaid, That such Persons exempted from the aforesaid Military Service in Manner as aforesaid, or that can and will take the aforesaid written Affirmation, shall not be compelled or obliged to suffer their Children to attend upon the Militia in this Colony, or do any Service therein, or pay any Fine for the Neglect thereof, until such Time as they arrive to Age, so as by Law to be capable of acting for themselves.

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An Act to prevent *Indians* being abused and wronged by designing and ill minded Persons, in making them Servants.

WHEREAS several evil minded Persons in this Colony, of a greedy and covetous Design, often draw *Indians* into their Debt, by selling them Goods at extravagant Rates, and get the said *Indians* to be bound to them for longer Time than is just or reasonable, to the great Hurt and Damage of the *Indians*, and to the Dishonour of the Government.

For the preventing whereof for the future:

BE it Enacted by the General Assembly of this Colony, That no *Indian* shall be bound an Apprentice or Servant to any of His Majesty's Subjects in this Colony, without the Consent, Allowance and Approbation of two Justices of the Peace, or Wardens of this Colony, and for good Consideration therefor, and testified to under the Hands of such Justices or Wardens: Any Law, Custom or Usage to the contrary, in any wise notwithstanding.

Indians to be bound by two Justices or Wardens.

O o o

An

An Act for enlarging the Naval Officer's Fees for collecting Moneys arising upon the Importation of Negro Slaves into this Colony.

BE it Enacted by the General Assembly of this Colony, and by the Authority thereof it is Enacted, That when the Naval Officer shall commence any Action for the Recovery of Moneys due for the Duty arising on the Importation of Negro Slaves into this Colony, he shall have allowed him one third Part of what he shall so recover.

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Cost



A L A W,

Made and pass'd by the
General Assembly of His Ma-
jesty's Colony of *Rhode-Island* and
Providence Plantations, in *New-*
England, held at *Providence*, on
the last *Wednesday* of *October*, 1730.

An Act for regulating Appeals from Judgments
obtained upon Bond, at any of the Inferior
Courts in this Colony.

BE it Enacted by the General Assembly, and by the Au-
thority thereof it is Enacted, That all Persons appealing
from a Judgment given upon Bond for Money, at any of
the Inferior Courts in this Colony, to the Superior Court,
shall pay down the Cost, and give Bond to prosecute the
same; and if cast at the Superior Court, shall pay double
Cost and Damages.

Persons ap-
pealing to pay
double Cost.

LAWS,



L A W S,

Made and pass'd by the
General Assembly of His Ma-
jesty's Colony of *Rhode-Island* and
Providence Plantations, in *New-*
England, held at *Newport*, by
Adjournment, on the third *Tues-*
day of *February*, 1730.

An Act for erecting and incorporating the Out-
Lands of the Town of *Providence* into three
Towns.

FORASMUCH as the Out-Lands of the Town of *Pro-*
vidence are large, and replenished with Inhabitants suffi-
cient to make and erect three Townships, besides the Town of
Providence, and the Land lies convenient for the same; which
will

will be of great Ease and Benefit to the Inhabitants of said Lands, in transacting and negotiating the prudential Affairs of their Town, which for some Time past has been very heavy and burthensome.

BE it therefore Enacted by the General Assembly, and by the Authority thereof it is Enacted, That from Warwick Township, eight Miles and an half be measured on the Seven Mile Line (so called) in said Providence, and a Boundary there fixed, and from the said Boundary a Line be drawn to Pawtucket River, to the Place called the Ware, about half a Mile northerly of Pawtucket Falls; and that for the Time to come, the Town of Providence extend no farther West and North than the aforesaid Lines.

The Bounds
of Providence

A N D it is also Enacted by the Authority aforesaid, That all the rest of the aforesaid out Lands, to the Eastward of the aforesaid Seven Mile Line, and to the Northward of the Bounds of the Town of Providence, be, and they are hereby incorporated and erected a Town, called and known by the Name of *Smithfield*; and that the Inhabitants thereof, from Time to Time, shall have and enjoy the like Benefits and Priviledges with other Towns in this Colony, according to our Charter.

Smithfield
erected.

A N D it is further Enacted by the Authority aforesaid, That all the rest of the aforesaid out Lands to the Westward of the aforesaid Seven Mile Line, be erected and made into two Towns, the dividing Line between them to begin at the North East Bounds of the Town of Providence, at the Bounds and Monument there made and erected on the aforesaid Seven Mile Line, and from thence to extend West Six Degrees and Thirty Minutes North, to Connecticut Colony. And all the Lands to the Westward of the said Town of Providence, and to the Southward of the said Dividing Line, and to the Northward of the Town of Warwick, be, and they are hereby erected and incorporated a Town, to be called and known by the Name of *Scituate*; and the Inhabitants thereof, from Time to Time, shall have and enjoy the like Liberties and Priviledges as other Towns in this Colony by our Charter do.

Scituate erect-
ed.

A N D be it further Enacted by the Authority aforesaid, That the Rest and Residue of the aforesaid out Lands, that ly to the Westward of the aforesaid Seven Mile Line, and to the Northward of the West Line drawn from the North-west Corner of the Town of Providence, bounded North on the Province of the *Massachusetts-Bay*, and West on the Colony of *Connecticut*, be, and they are hereby erected and incorporated a Town, and called by the Name of *Glocester*; and the Inhabitants thereof for the Time being, shall have and enjoy the like Liberty with other Towns in this Colony, agreeable to our Charter.

Glocester
erected.

Town-Meet-
ings to be
called for chu-
sing Town-
Officers.

A N D be it further Enacted, That the Justices of each of the respective Towns of Smithfield, Scituate and Gloucester, grant forth a Warrant in some convenient Time, to call the Inhabitants of each Town together, to chuse and elect such Town Officers as they shall have occasion for, as the Law directs, and to appoint the Time of their Town-Meetings, and the Places.

Number of
Deputys.

A N D each of the Towns aforesaid are to send two Deputies to the next General Assembly, and so on, as by the Charter is ordered.

Lands to be
survey'd.

A N D that Major William Smith, and Captain Richard Watterman, take with them a Surveyor, and from the North-west Corner of Providence Town, run up a Line to Connecticut Colony West, Six Degrees North, according as the Assembly has ordered and appointed the same.

Number of
Jurors to be
sent from
each Town.

A N D that Providence send one Grand and one Petit Juryman to the Superior Courts, Smithfield the same, and Scituate and Gloucester each one Petit Juryman; and Providence send four Grand Jurors and three Petit Jurors to the Inferior Court, Smithfield two Grand and two Petit Jurors, and Scituate one Grand Juror and one Petit Juror, and Gloucester the same.

Each Town
to have their
Proportion of
the Bank Mo-
ney.

A N D be it further Enacted by the Authority aforesaid, That the Towns of Providence, Smithfield, Scituate and Gloucester, have each of their Proportion of the Interest of the Bank Money appropriated to the Use of the Towns of this Colony, according to the Sums that the Lands lying in each Town are mortgaged for; and that what Money the Town Treasurer of Providence has advanced for the Town before, the Division thereof be repaid him out of the whole Interest Money, before Division thereof be made.

An

An Act for raising and emitting *One Thousand Pounds* in Bills of Publick Credit.

WHEREAS the General Treasury is quite exhausted of small Bills, none being in the Treasury under Twenty Shillings for exchanging.

IT is therefore Ordered, That the Sum of *One Thousand Pounds* be made upon the small Plates of *Four Shillings and Six Pence, Three Shillings, Two Shillings and Six Pence, and One Shilling*, and delivered into the General Treasury for Exchanging; and that there be *One Thousand Pounds* of old Money set apart in lieu thereof, and presented to the next Assembly following, in order to be burnt: And that the Grand Committee be, and they are hereby appointed to make said Bills, and agree with Mr. Vernon for impressing the same, and be paid out of the General Treasury.

One Thousand Pounds emitted.

An Act for preventing Appeals from the Judgment of the Justices, given against Persons for profane Swearing, and other Crimes.

WHEREAS it has been allowed to appeal from the Judgment of the Justices given on Persons guilty of profane Swearing or Cursing, and upon Persons that labour on the First Day of the Week, or use any unlawful Recreation thereon; and also those that have been convicted of Galloping: Which is found to be very troublesome, and tends to the Perversion of Justice.

For

For the preventing whereof for the future :

BE it Enacted by the General Assembly, and by the Authority thereof, That henceforward no Person whatsoever, shall have the Liberty of appealing from any Judgment given against him by any Justice or Justices of the Peace, on being convicted of any of the aforesaid Crimes.

An Act enabling the General Treasurer of this Colony for the Time being, to sue for the Interest of the Colony's Money, and to transact other Business of the Government at any of the Inferior or Superior Courts in this Colony ; and for regulating Fees, in all Cases where those are concern'd who have hired Money of the Colony, and shall be sued for the same.

Treasurer's
Power to sue
on the Colo-
ny's Account.

BE it Enacted by the General Assembly, and by the Authority of the same it is Enacted, That the General Treasurer of the Colony for the Time being, is hereby empowered and authorized to sue all Debtors on the Colony's Account, to or at any Inferior or Superior Court in this Colony, at any Time before the Sitting of any of said Courts; and he is empowered to file Declarations any Time during the sitting of said Courts: Any Law to the contrary hereof notwithstanding.

Fees stated.

AND be it further Enacted by the Authority aforesaid, That in all Actions brought by the Colony's Trustees, or Treasurer, against any Person or Persons whatsoever, the Attorney General's Fee be *Ten Shillings*, and no more; and that not to be allowed, unless a Declaration be filed; and that the Fee for entering the Action be *Six Shillings*, of which one to the Clerk: And that for the Writ, Service, and all other Fees, one Fourth Part be abated: Any Law, Custom or Usage to the contrary hereof notwithstanding.

An

An Act for repealing an Act, Entitled, *An Act limiting the commencing of Suits at the Inferior Courts of Common Pleas in this Colony.*

WHEREAS there was an Act made and pass'd by the General Assembly, at their Sessions, by Adjournment, the third Monday in June, 1730, entitled, An Act limiting the commencing of Suits at the Inferior Courts of Common Pleas in this Colony: Which Act is found very prejudicial, and of ill Consequence to the Inhabitants of this Government.

BE it therefore Enacted, That the said Act be, and it is hereby repealed, made null and void, to all Intents and Purposes whatsoever.

An Act for the better regulating the commencing of Suits at the Inferior Courts in this Colony.

WHEREAS by a Clause of an Act, entitled, An Act for the regulation of sundry Proceedings in the several Courts within this Colony, sundry Suits have been commenced out of the Counties where both Plaintiff and Defendant live; which is conceived irregular, and contrary to the Ease of the Inhabitants.

For the preventing whereof:

BE it Enacted by the General Assembly of this Colony, and by the Authority thereof it is Enacted, That after the
Q q q Publication

Transitory
Actions to be
commenced in
the County
where the
Plaintiff lives,
or the De-
fendant is su-
ed.

Publication of this Act, in all transitory Actions commenced in any County in this Colony, the Plaintiff or Defendant in the Suit, if an Inhabitant of this Colony, shall be an Inhabitant or Resident in the County where such Action shall be commenced, or the Defendant shall be arrested within the same. And all Actions commenced contrary hereunto, shall be deemed to be wrong brought, and shall abate.

LAWS,



L A W S,

Made and pass'd by the
General Assembly of His Ma-
jesty's Colony of *Rhode-Island* and
Providence Plantations, in *New-*
England, held at *Newport*, by
Adjournment, on the second *Mon-*
day of *June*, 1731.

An Act for preventing of Vessels coming into this
Government, from Places infected with the
Small Pox.

BE it Enacted by the General Assembly of this Colony, and
by the Authority of the same it is Enacted, That eve-
ry Master of any Ship, or other Vessel, that shall come
into the Harbour of *Newport*, and shall not bring to his
Vessel

Vessels to
bring to at
the Fort.

Vessel when the Gunner shall fire a Shot at him, shall for the first Shot pay *Ten Shillings*, and for the Second *Twenty Shillings*, and for every shot after the second, *Five Pounds*. And the Naval Officer shall, before he clear said Vessel, receive the same, and shall have *Three Shillings* as a Fee for the same. All which Fines to be for the Use of the Colony.

An Act for regulating the Assize of Cask, and preventing Deceit in packing Beef, Pork, and Fish for Sale.

Assize of Cask

BE it Enacted by the General Assembly, and by the Authority of the same it is Enacted, That henceforth all Barrels and Half Barrels made in this Colony, shall be of the Assize following: *Viz.* Barrels Thirty One Gallons and an Half, Half-Barrels of Fifteen Gallons and Three Quarts, and be made of good, sound, and well seasoned Timber.

AND that every Cooper making such Cask, shall set his Brand-Mark on the same, with the two first Letters of his Name.

Those under
the Assize to
be forfeited.

AND that all Barrels and Half-Barrels more than a Gallon under the Assize aforesaid, shall be forfeited, one Moiety thereof to the Informer, and the other Moiety to and for the Use of the Poor of such Town where the same shall be seized, to be paid to the Town Treasurer, for the Use aforesaid.

Beef, &c. to
be viewed.

AND be it further Enacted by the Authority aforesaid, That all Cask containing either Beef, Pork or Fish, before it be exposed to Sale, be duly viewed and examined by a sworn Packer of this Colony, who is carefully to see that the same be good and merchantable, and well packed, before he shall set his Mark thereon.

If shipped
without the
Packer's Mark,
to be forfeit-
ed.

AND be it further Enacted by the Authority aforesaid, That in case any Beef, Pork or Fish, shall be shipped on board any Ship or other Vessel for Exportation, not having the Packer's Mark thereon, as aforesaid, the Master of such Vessel shall forfeit the Value of such Beef, Pork or Fish, so shipped; the one Half to the Informer, the other

other Half to and for the Use of the Colony : To be recovered by Bill, Plaint or Information, in any Court of Record in this Colony.

A N D be it further Enacted by the Authority aforesaid, That in case any Tarr, Cyder, Beer, or other liquid Com-
modity, be exposed to Sale in this Colony, in any Barrels, or Half Barrels, that are not of the Affize aforesaid, the same shall be forfeited, the one Half to the Informer, and the other Half to and for the Use of the Colony ; to be recovered as aforesaid.

Liquid Com-
modities in
Cask under
the Affize to
be forfeited.

A N D that any Justice of the Peace, or Warden, upon Complaint or Information to him made, shall grant forth his Warrant for seizing and securing the same, to and for the Use aforesaid.

A N D that this Act be not in Force, until three Months after the Rising of this Assembly.

An Act for emitting Sixty Thousand Pounds in
Bills of Publick Credit.

W H E R E A S the Soil and Climate of this Government is very suitable and proper for the raising and curing Hemp, and the Scituation thereof very convenient for the promoting the Whale and Cod-Fishery.

A N D forasmuch as it is conceived, that a Premium, or Bounry, for the Encouragement of the Hempen Manufactory, and of the Whale and Cod-Fishery, would be of great Advantage and Benefit to Great Britain, our Mother Country, and at the same Time relieve the Government under its present Difficulties and Distresses, by giving Trade, and all other Business, a different Turn ; so that by Industry and Labour, the Government may not only be servicable to His Majesty, in raising Hemp, and furnishing the Navy with Naval Stores, &c. but be able to call in and sink the Bills of Publick Credit formerly emitted, according to the several Acts for that Purpose, and carry on their Affairs, publick and private, for the future, without the present Difficulty and Trouble.

Which being duly considered :

Sixty Thou-
sand Pounds
emitted.

B *Et it Enacted by the General Assembly of this Colony, and by the Authority thereof it is hereby Enacted.* That the Sum of *Sixty Thousand Pounds* in Bills of Credit, of the same Tenor of those already emitted by this Government, be forthwith impressed and made, upon the Plates heretofore used by this Colony, whereof *Two Thousand Five Hundred Pounds* shall be of the Denomination of *Ten Shillings* and under.

Grand Com-
mittee to sign
the Bills.

A N D said Bills shall be in the Hands, and under the Care of the Six present Trustees of the Colony, called the Grand Committee; any Three or more of whom shall have full Power and Order given them, to sign all the afore-
said Bills for the Use of the Colony.

Any further
Device may
be made in
them.

A N D the said Trustees are hereby authorized to make any further or other Device in the Escutcheon, or other Part of said Bills, as they shall judge necessary for the preventing said Bills from being counterfeited; and shall provide all Materials necessary for the making the same, at the Charge of the Colony.

To be deliver-
ed to the
Trustees.

A N D *be it further Enacted by the Authority aforesaid,* That when and as soon as the said *Sixty Thousand Pounds* is made and finished, the same shall be delivered to the Trustees for the respective Towns in the Government, in such Manner and in the same Proportion as the last Bank was distributed; said Grand Committee taking Receipts for the same.

To be let up-
on Land Secu-
rity.

A N D said Bills shall be let out by the several Committees of the respective Towns in the Colony upon Land Security, of double the Value of the Money taken up, in the same Way and Manner as the former Bills of the Colony were let out.

A N D the Time said Bills shall be emitted for, shall be Ten Years; at which Period, from the emitting the same, every Mortgage shall be out, and the Money due thereby payable to the Colony.

Bond to be
given for the
Interest.

A N D every Person taking up said Bills in the afore-
said Manner, shall give Bond for the Payment of the Interest thereof, at the Rate of *Five Pounds per Cent.* unto the General Treasurer, to and for the Use of the Colony; to be appropriated to the Ends and Purposes hereafter mentioned.

What Sums
are to be let,
and to whom.

A N D *be it further Enacted by the Authority aforesaid,* That in the letting out said Bills, no Person be supplied with above *Three Hundred Pounds*, or be suffered to take up less than

than *Twenty Five Pounds*; and that those Persons that have taken of the former Banks, to the Sum of *Three Hundred Pounds*, upon their own Priviledge, be not admitted to take of said Bills, until others be supplied: But if any Bills shall remain in the Hands of the Committee for *Three Months* after received, then said Persons excluded shall have equal Liberty with others.

A N D be it further Enacted by the Authority aforesaid, That the Hon. *John Wanton Esq;* Deputy Governour, Lieut. Col. *William Coddington*, Mr. *George Goulding*, Mr. *Jableel Bren- ton*, Jun. Lieut. Col. *Daniel Uptide*, and Mr. *Gideon Wanton*, be, and they are hereby appointed and chosen to be the Six Trustees of the Colony; and they are also appointed a Committee for the Town of *Newport*, to hire out their proportionable Part of said Bills.

The Trustees
to be a Com-
mittee for
Newport.

A N D the following Persons are chosen and appointed Committees for the other Towns in the Colony, to hire out the proportionable Part of said Bills that fall to each respective Town: *Viz.*

For the Town of *Providence*, Col. *Nicholas Power*, and Mr. *Richard Waterman*.

FOR the Town of *Portsmouth*, Mr. *William Anthony*, and Mr. *Gideon Freeborn*.

FOR the Town of *Warwick*, Mr. *John Weeks*, and Mr. *John Rhodes*.

FOR *Westerly*, Lieut. Col. *Joseph Stanton*, and Capt. *John Babcock*.

FOR *New Shoreham*, Capt. *Thomas Mitchel*, and Mr. *Samuel Rathbone*.

FOR *North Kingstown*, Mr. *Francis Willet*, and Mr. *Jeremiah Gould*.

FOR *South Kingstown*, Mr. *Rouse Helme*, and Capt. *John Potter*,

FOR *East Greenwich*, Mr. *Pardon Tillinghast*, and Mr. *Thomas Spencer*.

FOR *James Town*, Capt. *Nicholas Carr*, and Mr. *Tedeman Hull*.

FOR *Smithfield*, Maj. *William Smith*, and Mr. *Jonathan Sprague*, Jun.

FOR *Scituate*, Mr. *Stephen Hopkins*, and Mr. *Benjamin Smith*.

FOR *Glocester*, Mr. *Elisha Knowlton*, and Mr. *Walter Pe- replace*.

Names of the
Committees
for the other
Towns.

A N D be it further Enacted, That the Committee for signing said Bills, and the several Committees for the letting out said Bills, shall, in all other Cases, regulate themselves by the Rules and Practices prescribed and made use of in the letting out the former Banks.

Rules for let-
ting out the
Money.

A N D be it further Enacted by the Authority aforesaid, That out of the Interest of said Money, for the Encouragement of the *Hempen Manufactory*, there shall be paid out

Bounty on
Hemp and
Flax.

out of the General Treasury *Nine Pence per Pound* Bounty, for every Pound of good Water-rotted, well manufactured Hemp, raised in this Colony; the Proof of which is to be made as the former Law relating to Hemp directs: And in like manner *Four Pence per Pound* for every Pound of well manufactur'd Flax, raised in this Colony, and hatchelled; which shall be viewed as the Law directs, in Relation to Hemp, and whereof Proof shall be made as the said Law directs relating to Hemp.

AND the aforesaid Bounty, or *Premium*, shall be continued for the Space of Ten Years from the Publication of this Act.

Bounty on
Oyl, Whale-
bone and Fish.

AND be it further Enacted by the Authority aforesaid, That for the promoting the Whale and Cod-Fishery, there shall be paid out of the Interest of the said Money, the Bounty of *Five Shillings* for every Barrel of Whale Oyl, *One Penny* for every Pound of Whalebone, and *Five Shillings per Quintal* for every Quintal of good Merchantable Cod Fish, which shall be catch'd in any of the Vessels owned in this Colony, and sailing out of some Part thereof, and by Fishermen residing therein.

Proviso.

PROVIDED, said Oyl be tryed, and said Fish be made in the Government, or the said Fish, Oyl or Whalebone be taken in the Vessels owned as aforesaid, and brought into the Government, and disposed of therein: The Proof of which Facts shall be made out to the Treasurer, by Certificate from such Officers as shall be appointed for that Purpose.

AND the aforesaid Bounty, or *Premium*, shall continue for Ten Years after the Publication of this Act.

Officers to
view Oyl, &c.

AND be it further Enacted by the Authority aforesaid, That in each and every Town in the Government, where there shall be a Necessity thereof, there shall be annually chosen, at their Town Meetings for Election of Town Officers, one or more Persons for the viewing and examining Whale-Oyl, Bone and Cod-Fish, brought into the Colony; who shall have Power and Authority of swearing or engaging the Persons claiming the Bounty for the same, or any other Person, as he or they shall think fit; and shall determine what Whale-Oyl, Bone, or Cod-Fish, is merchantable and good, and entituled to the Bounty given by the Government, according to this Act.

Their Fees.

AND the Certificate of such Persons chose as aforesaid, and engaged, shall be a sufficient Order to the General Treasurer, for the Payment of the Bounty given by this Act. And every such Officer shall be allowed *Four Pence* for every Hundred Weight of Whalebone, and *Four Pence* for every Barrel of Oyl, and *Four Pence* for every Quintal of Fish, viewed as aforesaid; to be paid always by the Persons claiming the Bounty as aforesaid.

An

An Act for stating the Size of Clapboards and Shingles, and the better regulating the measuring of Boards, Plank, Timber, &c.

WHEREAS Boards, Plank and Timber, are usually sold by the Measure set upon them at the Mills where they are sawn; and Bundles of Shingles and Clapboards are marked for a greater Number than they contain: Wherein great Fraud and Deceit is too often practiced by ill minded Persons.

FOR Prevention whereof:

BE it Enacted by the General Assembly, and by the Authority of the same it is Enacted, That in each Town within this Government, where Boards and Plank, Shingles, Clapboards and Slitwork, are usually imported or brought for Sale, or exported beyond Sea, there be two or more honest Persons, that are skilful, annually elected by such Town, at the Time of the Anniversary Choice of their Town Officers, to be Surveyors and Measurers of Boards and Plank, Timber and Slitwork, and of Shingles and Clapboards; who shall be sworn or engag'd as other Officers are to the faithful Performance of the Duty of their Office.

Officers to be appointed for viewing of Boards, &c.

AND all Boards, Plank, Timber and Slitwork, imported or brought for Sale, before their Delivery, shall be viewed, surveyed and measured by one of the said Officers, where he shall have any Doubt of the Measure; having Consideration of the drying and shrinking: Also shall mark a-new all such to the just Contents, making reasonable Allowance for Rots, Splits and Wains.

Their Duty;

AND the Buyer shall pay the Officer *Twelve Pence per Thousand* for viewing only, and *Twelve Pence per Thousand* for measuring and marking, and *pro Rato* for a lesser Quantity than a Thousand Feet.

And Fees.

AND no Boards, Plank, Timber, Slitwork, Shingles or Clapboards, shall be delivered upon Sale or Exportation beyond Sea, before they have been viewed and surveyed, and also measured, if Occasion be, and marked a-new by one of

Boards, &c. to be mark'd.

S s s

said

saïd Surveyors, on Pain of being forfeited, or the Value thereof, by the Seller or Shipper, to the Use of the Poor of the Town where they are sold or shipped.

Shingles, &c.
to hold out
the Number
they are mark-
ed for.

A N D be it further Enacted by the General Assembly, That all Shingles and Clapboards exposed to Sale by Quantities in Bundles, that do not hold out the Number they are marked for, unless it appears some have been drawn or shaken out of the Bundles after packing, shall be forfeited to the Use of the Poor or the Town where they are exposed to Sale; the Charge of searching and telling them to be first deducted.

Their Size.

A N D every Bundle o' Shingles and Clapboards, which according to the sound Judgment of the Surveyor will hold out one with another Four Inches and an Half in Breadth, shall be accounted merchantable; provided the Shingles are Fifteen or Eighteen Inches in Length, and the Clapboards not less than Four Foot and an Half long, and the least to be Four Inches in Breadth and upwards, and one Half of an Inch thick, or upwards; and all that are otherwise to be cull'd and burnt, and so many more, if need be, till what are left of saïd Bundles will bear Four Inches and an Half, according to the Judgment of the Surveyor; who shall have for his Service *Four Pence* for every Thousand surveyed, and *Four Pence per* Thousand for telling, to be paid by the Buyer, where no Forfeiture is for want of Tale, to satisfy the Charge; And for every Thousand he culls and binds up again, *Twelve Pence per* Thousand, and proportionable for less Quantities, to be paid by the Owner and Seller of saïd Shingles and Clapboards; returning the Remainder to the Owner, if any be, after the Charge is deducted: Any Law, Custom or Usage, to the contrary hereof, notwithstanding.

A N D it is further Enacted by the Authority aforesaid, That this Act be not in Force until Three Months after the Rising of this Assembly.

An

An Act for raising the Fines of enlisted Soldiers
of the Train'd Bands in this Colony.

BE it Enacted by the General Assembly of this Colony, and by the Authority thereof it is Enacted, That all enlisted Soldiers belonging to any of the respective Companies or Train'd Bands in this Government, that shall neglect to train when duly and legally warned, shall for every Days Neglect of the same, pay as a Fine the Sum of Five Shillings. Any Law, Custom or Usage to the contrary hereof, in any wise notwithstanding.

Fine for not training.

An Act for empowering the Towns of Smithfield, Scituate and Gloucester, to lay out their High Ways in the same Manner as they are laid out in Providence.

FOR AS MUCH as the Town of Providence was, by an Act of Assembly made and pass'd in this Colony, the third Tuesday in June, 1725, enabled to lay out their High Ways by indifferent Persons appointed by their Town Council, &c. as in and by said Act is required: And the Towns of Smithfield, Scituate and Gloucester, being since taken out of Providence,

IT is Enacted by the General Assembly of this Colony, and by the Authority thereof, That it shall and may be lawful to and for the Town Council of the respective Towns of Smithfield, Scituate and Gloucester, to lay out all such High Ways as they shall hereafter lay out in their respective Towns, in the same Way and Manner as the Town of Providence do and have done, by Force and Virtue of the aforesaid Law. Any Law to the contrary hereof notwithstanding.

An

An Act for the Relief of Debtors, by making Composition with their Creditors, in case two Thirds in Number and Value do agree.

A Composition by two Thirds of the Creditors to be valid.

BE it Enacted by the General Assembly, and by the Authority of the same, That any Person that now does, or shall hereafter stand committed to Prison within this Colony, upon any Execution or Executions, at the Suit of one or more Creditors, for Debts owing to them, and is unable to pay the same, it shall and may be lawful for two Thirds or more, in Number and Value, of such Creditors, and others to whom such Prisoners shall at the same Time stand justly and truly indebted, their Executors, Administrators, Guardians or Trustees, or other Persons authorized by them, to make such Composition as they shall think fit with such Debtors: Which Composition being for the equal Benefit of all the Creditors of such Debtor, and subscribed and sealed by the said two Thirds, without any fraudulent Agreement, shall be binding and valid in the Law.

Creditors to make Oath on what Account their Debts become due.

AND be it further Enacted, That all Persons subscribing and sealing such Composition, shall within twenty Days after being required thereunto (in Writing before two Witnesses) by any of the Creditors, make Oath in Writing before two of His Majesty's Justices of the Peace, on what Account their Debts become due; and that they neither have, nor are to receive any greater or other Advantage than is included in the said Composition: Which Oath shall be made and filed, at the Charge of the Requirer, with the Secretary of this Colony, within twenty Days after.

Punishment for forswearing themselves, and Forfeiture for refusing the Oath.

AND if any such Person or Persons shall be lawfully convicted of forswearing themselves in such Oath, such Person or Persons shall suffer as in Case of Perjury. And in case any Person shall refuse to make such Oath, or receive, or agree to receive, a greater Advantage than is allowed by the said Composition, such Composition shall be void, and he shall forfeit *One Hundred Pounds*, and treble the Value fraudulently claimed, received, or agreed to be received, with full Cost of Suit, to Creditors suing for the same. And the

the Money so recovered over and above the Charges, shall go to the Creditors contributing thereto.

A N D be it Enacted by the Authority aforesaid, That when any Debtor so compounded with, shall be kept in Prison contrary to such Composition, any two of His Majesty's Justices of the Peace of this Colony, may, in the Presence of the Creditors, or in their Absence, if before lawfully and duly summoned, discharge such Debtor, upon producing such Composition, and Schedule of Debts upon Oath, and swearing the Cause of Imprisonment to be only for such Debts. And thereupon the Prison Keeper is to attend, with and by Order of said Justices, to discharge such Prisoner, under the Penalty of *Twenty Shillings per Day*, for every Day said Prisoner shall be after detained therefor.

How a Prisoner confin'd contrary the Composition may be discharged

A N D it is further Enacted by the Authority aforesaid, That if any Person shall be sued for any Thing done in Prosecution of this Act, if the Plaintiff be non-suited, or cast, he shall pay treble Cost.

PROVIDED always, and it is to be understood, That this Act shall not make void any Securitys by Mortgage or Pawn, or discharge any other Person, Matter or Thing before bound, or any ways obliged for the Payment of any Debt justly owing by such Debtor; but that such real Estate mortgaged, Goods pawned, or other Person, Matter or Thing bound for the Security of such Debt, shall be good and valid, and effectual in the Law, so as the same affect not the Person of the Debtor.

Provido

An Act for securing the Interest of the Second Bank, for the three Years yet to come, before the Payment of any Part thereof.

IT is Ordered and Enacted by the General Assembly, and by the Authority of the same, That the several Committees of the several Towns forthwith proceed to take Bonds of the Mortgagers of the Second Bank, for the three Years the Sum is to continue upon Loan; and also to take Bonds for the several Payments of the Principal in Ten Years, by one Tenth Part Yearly, as was taken and done in the First Bank.

Bonds to be taken.



L A W S,

Made and pass'd by the
General Assembly of His Ma-
jesty's Colony of *Rhode-Island* and
Providence Plantations, in *New-*
England, held at *Warwick*, on
the last *Wednesday* of *October*, 1731.

An Act for preventing Mischief being done in
the Town of *Newport*, or in any other Town
in this Government, by firing of Guns and
Pistols, and throwing of Squibs, Fire-Works, &c.
in the Streets or Lanes of the Town of *New-*
port, or other Towns, or in any Tavern in any
Town in this Colony.

FOR AS MUCH as Damage has often been done in the
Town of *Newport*, and other Towns in this Government,
by firing of Guns and Pistols in the Streets or Taverns in
the

the said Towns, and by firing and throwing of Squibs, Rockets, and other Fire-Works, even to the endangering the Loss of several Lives, and firing of the Towns,

FOR the preventing whereof for the future:

BE it Enacted by the General Assembly of this Colony, and by the Authority of the same it is Enacted, That no Person whatsoever presume to fire any Gun or Pistol, or fire or throw any Squib, Rocket, or other Fire-work, in the Streets of any of the Towns of this Government, or in any Tavern of the same, after dark, on any Night whatsoever.

No Guns, &c.
to be fir'd
after dark.

AND if any Person shall do contrary hereunto, he, she or they so offending and doing, shall upon Conviction before one or more Justice or Justices of the Peace of the County where such Offence shall be committed, pay a Fine of *Five Shillings* for the first Offence, and for the second Offence *Ten Shillings*, and for every other Offence *Twenty Shillings*: And no Appeal shall be from any such Judgment.

Fine

AND no Bonfire shall be made on Gun Powder Treason Day in any Town in the Colony, but by Direction of the Authority of such Town, upon the Penalty of the Offenders being fined according to the Discretion of the Justices, not exceeding *Twenty Shillings*, to be for the Use of the Town where such Offence is committed: Any Law, Custom or Usage to the contrary hereof notwithstanding.

Bonfires to
be made by
Direction of
Authority.

An Act in Addition to, and Explanation of an Act, Entituled, *An Act for the Relief of Debtors, by making Composition with their Creditors, in case two Thirds in Number and Value do agree.*

WHEREAS there is a Paragraph in an Act of Assembly in this Colony, Entituled, *An Act for the Relief of Debtors, by making Composition with their Creditors, in case two Thirds in Number and Value do agree, wherein are these Words*: It shall and may be lawful for two Thirds, or more, in Number and Value, of such Creditors, or others to whom such Prisoners shall stand justly and duly indebted, &c.

VOTED;

VOTED, That the same be understood and expounded to be two Thirds of all Creditors, as well those who have not sued, as those who have.

An Act in Addition to an Act, Entituled, *An Act for emitting Sixty Thousand Pounds in Bills of Publick Credit*; made and passed in this Colony in June, 1731.

FORASMUCH as in and by said Act, the aforesaid Sixty Thousand Pounds is emitted for Ten Years, and no Provision made for the calling in the same. And it being equitable and just, and worthy the Care of the Government, to see that all its Members have Justice done them,

Ten distinct Bonds to be given.

BE it Enacted by the General Assembly of this Colony, and by the Authority of the same it is Enacted, That at the Expiration of the ten Years the aforesaid Sixty Thousand Pounds are let out for, each Person having of the aforesaid Money, shall give ten distinct Bonds to the Grand Committee, or other Committees in their Names, for the Sum contained in their respective Mortgages; each Bond to contain one tenth Part of the Sum contained in the Mortgage, and one of said tenth Parts to be paid annually without Interest, for ten Years, as aforesaid, until the whole of said Bank be paid in.

Sums paid to be indorsed.

AND upon any Person's discharging and taking up any of said Bonds, the Sum or Sums by him or them paid, shall, by one or more of said Grand Committee, be indorsed upon the Back of such Person's Mortgage, until the whole be paid.

Mortgage Deeds, how discharged.

AND when the same shall be effected by a compleat Payment of the whole Sum, then every such Mortgage Deed shall be discharged, by an Entry to be made in the Margin of the Record where such Mortgage Deed is registred, by the Town Clerk of each respective Town.

An Act for the enlarging, and further Augmentation of the General Treasurer's Salary.

THERE being a considerable Quantity of Paper Bills emitted by this Colony upon Loan, and the Interest payable in the same Specie; and the said Bills by often passing wear and Decay, which causes them often to be exchanged in the Treasury, and for which the Treasurer has no sufficient Allowance.

BE it therefore Enacted by the General Assembly, and by the Authority thereof it is Enacted, That the Treasurer's Salary be, and it is hereby augmented to the Sum of Two Hundred Pounds per Annum, this Currency.



